

RECORDATION NO.

25682-6

FEB

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FEB 05 '09

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**SURFACE TRANSPORTATION BOARD**

ELIAS C. ALVORD (1942)  
ELLSWORTH C. ALVORD (1964)

OF COUNSEL  
URBAN A. LESTER

February 5, 2009

Anne K. Quinlan, Esquire  
Acting Secretary  
Surface Transportation Board  
395 E Street, S.W.  
Washington, D.C. 20423-0001

Dear Ms. Quinlan:

Enclosed for recordation pursuant to the provisions of 49 U.S.C. Section 11301(a) are two (2) copies of a Partial Release, dated as of February 2, 2009, a secondary document as defined in the Board's Rules for the Recordation of Documents.

The enclosed document relates to the Memorandum of Master Equipment Lease Agreement previously filed with the Board under Recordation Number 25682-A.

The name and address of the party to the enclosed document are:

Lessor: Midwest Railcar Corporation, (assignee of  
Bank of America, successor-by-merger to Fleet  
Capital Corporation)  
4949 Autumn Oaks Drive  
Maryville, IL 62062

[Lessee: The Andersons, Inc.  
480 W. Dussel Drive  
Maumee, OH 43537]

Anne K. Quinlan, Esquire

February 5, 2009

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A description of the railroad equipment covered by the enclosed document is:

1 railcar RELEASED: AEX 11102 (previously marked NAHX 475713).


A short summary of the document to appear in the index is:

Partial Release.

Also enclosed is a check in the amount of \$41.00 payable to the order of the Surface Transportation Board covering the required recordation fee.

Kindly return stamped copies of the enclosed document to the undersigned.

Very truly yours,

A handwritten signature in black ink, appearing to read 'R. Alvord', with a long horizontal flourish extending to the right.

Robert W. Alvord

RWA/sem  
Enclosures

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PARTIAL RELEASE

SURFACE TRANSPORTATION BOARD

KNOW ALL MEN BY THESE PRESENTS: Midwest Railcar Corporation Assignee of Banc of America Leasing & Capital, LLC, Successor-By-Merger To Fleet Capital Corporation hereby releases all of its right, title and interest in and to, the railcars more specifically described as follows:

AEX 11102 (prior mark NAHX 475713)

The primary document(s) to which this PARTIAL release relates are between Midwest Railcar Corporation Assignee of Banc of America Leasing & Capital, LLC, Successor-By-Merger To Fleet Capital Corporation (Lessor) and The Andersons, Inc. (Lessee), was recorded with the Surface Transportation Board, under Recordation Number 25682-A dated July 1, 2005.

IN WITNESS WHEREOF, Midwest Railcar Corporation Assignee of Banc of America Leasing & Capital, LLC, Successor-By-Merger To Fleet Capital Corporation, has hereunto set its name, by its proper office thereunto duly authorized, this 2nd day of FEB. 2009.

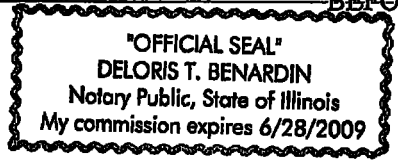
Midwest Railcar Corporation Assignee  
Banc of America Leasing & Capital, LLC  
Successor-By-Merger to Fleet Capital Corporation

By: [Signature]  
Richard M. Murphy  
President & CEO

STATE OF Illinois )  
County of Madison )SS

On this 2nd day of February 2009, personally appeared Richard M. Murphy to me personally known, who, being duly sworn, did say that he is the President & CEO of Midwest Railcar Corporation Assignee of Banc of America Leasing & Capital, LLC, Successor-By-Merger To Fleet Capital Corporation and that said instrument was signed by authority of its board of directors, and he acknowledged said instrument to be the free act and deed of said corporation.

BEFORE ME: [Signature]



Notary Public  
Expiration:

**CERTIFICATION**

I, Robert W. Alvord, attorney licensed to practice in the State of New York and the District of Columbia, do hereby certify under penalty of perjury that I have compared the attached copy with the original thereof and have found the copy to be complete and identical in all respects to the original document.

Dated: \_\_\_\_\_

2/5/09



\_\_\_\_\_  
Robert W. Alvord